

**ANNEX A**

ASSEMBLY BILL 1886

SCHOOL ZONE FINES

**Assembly Bill No. 1886**

**CHAPTER 590**

An act to add and repeal Section 45452 of the Education Code, to add and repeal Section 1463.21 of the Penal Code, and to add and repeal Section 42011 of the Vehicle Code, relating to vehicles.

[Approved by Governor September 15, 2002. Filed  
with Secretary of State September 16, 2002.]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1886, Jackson. Vehicles: school zone fines.

Existing law, in the case of specified violations relating to rules of the road and driving under the influence, doubles the fine in the case of misdemeanors, and increases the fine, as specified, in the case of infractions, if the violation is committed by the driver of a vehicle within a highway construction or maintenance area during any time when traffic is regulated or restricted by the Department of Transportation or local authorities pursuant to existing law or is committed within a designated Safety Enhancement Double Fine Zone.

This bill would double or increase the fines as described above for a designated violation occurring in a specially posted school zone, as specified, in Alameda County, Santa Barbara County, Ventura County, or in any city in any of those counties where the program is adopted by a vote of the city council, or the county board of supervisors, as appropriate, and is established in collaboration with local school districts within those jurisdictions, if that county or city opts for the application of this law. This bill would require any city or county that adopts the program to promptly notify specified law enforcement agencies and would require the county treasurer to deposit the amount of the enhanced portion of the fine in a special account in the county treasury to be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered as provided. The bill would also require the California Highway Patrol to report to the Legislature on or before July 1, 2006, on the effectiveness of the pedestrian-bicyclist safety programs and whether the added fines improved traffic and pedestrian safety within participating school zones. This bill would state findings and declarations of the Legislature explaining the use of a special statute in lieu of a statute of general applicability. The bill would repeal these provisions on January 1, 2007.

By increasing the duties of the county treasurer if a city opts into the program, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 45452 is added to the Education Code, to read: 45452. (a) The County of Alameda, the County of Santa Barbara, the County of Ventura, or any city within any of these counties, in collaboration with local school districts within those jurisdictions, may establish a school pedestrian-bicyclist safety program and receive funds from a special account in the county treasury established pursuant to Section 1463.21 of the Penal Code if those funds are used to fund programs that enhance the safety of students traveling to and from school on foot or by bicycle. Any funds obtained by a city or county from this source are to supplement any funds already expended by that agency for pedestrian or bicycle safety programs and may not be used to supplant any existing expenditures for those purposes.

(b) If a program is established pursuant to subdivision (a) and the services of a law enforcement agency are requested by the program administrator, those services shall be provided by the law enforcement agency having primary traffic investigative authority.

(c) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

SEC. 2. Section 1463.21 is added to the Penal Code, to read:

1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

(b) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

SEC. 3. Section 42011 is added to the Vehicle Code, to read:

42011. (a) For any offense specified in subdivision (b) that is committed by the driver of a vehicle under either of the following

conditions, the fine in a misdemeanor case shall be double the base amount otherwise prescribed, not including any penalty assessments or other fees or additions, and in an infraction case, the fine shall be one category higher than the penalty otherwise prescribed by the uniform traffic penalty schedule established pursuant to Section 40310, not including any penalty assessments or other fees or additions:

(1) When passing a school building or the grounds thereof, if the building or grounds are contiguous to a highway and posted with a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone, and children are going to or leaving the school either during school hours or during the noon recess period.

(2) When passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children, and the highway is posted with a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone.

(b) A violation of any of the following provisions is an offense that is subject to subdivision (a):

(1) Article 3 (commencing with Section 21450) of Chapter 2 of Division 11, relating to obedience to traffic devices.

(2) Chapter 3 (commencing with Section 21650) of Division 11, relating to driving, overtaking, and passing.

(3) Chapter 4 (commencing with Section 21800) of Division 11, relating to yielding the right-of-way.

(4) Chapter 6 (commencing with Section 22100) of Division 11, relating to turning and stopping and turn signals.

(5) Chapter 7 (commencing with Section 22348) of Division 11, relating to speed limits.

(6) Chapter 8 (commencing with Section 22450) of Division 11, relating to special traffic stops.

(7) Section 23103, relating to reckless driving.

(8) Section 23104, relating to reckless driving which results in bodily injury to another.

(9) Section 23109, relating to speed contests.

(10) Section 23152, relating to driving under the influence of alcohol or a controlled substance, or a violation of Section 23103, as specified in Section 23103.5, relating to alcohol-related reckless driving.

(11) Section 23153, relating to driving under the influence of alcohol or a controlled substance, which results in bodily injury to another.

(12) Section 23220, relating to drinking while driving.



(13) Section 23221, relating to drinking in a motor vehicle while on the highway.

(14) Section 23222, relating to driving while possessing marijuana or an open alcoholic beverage container.

(15) Section 23223, relating to being in a vehicle on the highway while possessing an open alcoholic beverage container.

(16) Section 23224, relating to being a driver or passenger under the age of 21 years possessing an open alcoholic beverage container.

(17) Section 23225, relating to being the owner or driver of a vehicle in which there is an open alcoholic beverage container.

(18) Section 23226, relating to being a passenger in a vehicle in which there is an open alcoholic beverage container.

(c) (1) This section applies only in Alameda County, Santa Barbara County, Ventura County, or in a city in any of these counties, and only if that jurisdiction has adopted this section by a vote of the city council or county board of supervisors, as appropriate.

(2) The increased fines authorized by subdivision (a) may only be imposed and collected once per offense or notwithstanding the fact that the offense occurred within more than one jurisdiction all of which have adopted this section. Furthermore, no increased fine shall be imposed if an increased fine is imposed under Section 42009 or 42010 because the offense occurred within a highway construction or maintenance area or safety enhancement area.

(d) Any city or county that adopts this section shall promptly notify the California Highway Patrol and the law enforcement agency having the primary traffic investigative authority of that fact.

(e) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

SEC. 4. The California Highway Patrol, using existing department resources, shall report to the Legislature on or before July 1, 2006, on the effectiveness of the school pedestrian-bicyclist safety programs and whether the added fines improved traffic and pedestrian safety within the participating school zones.

SEC. 5. The Legislature finds and declares that, because of unique circumstances applicable only to Alameda County Santa Barbara County, and Ventura County, and because of the need to test this model in a pilot program, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution. Therefore, this special statute is necessary.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will

be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

## **ANNEX B**

CHP LETTERS TO JURISDICTIONS  
ADVISING THEM OF AB 1886 PROVISIONS

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P.O. Box 942898  
Sacramento, CA 94298-0001  
(916) 657-7152  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



January 31, 2003

File No.: 1.A7875.051.02-2375

Ventura County Board of Supervisors  
Mr. John Flynn, Chairperson  
2900 Saviers Road, 2nd Floor  
Oxnard, CA 93033

Dear Mr. Flynn:

I am writing in response to the recent passage of Assembly Bill (AB) 1886, copy enclosed, which would double or increase fines in specially posted school zones in Santa Barbara, Ventura, and Alameda Counties. These provisions will remain in effect until January 1, 2007.

Ventura County or any city within the county in collaboration with local school districts may utilize these funds to establish school pedestrian-bicyclist safety programs. However, for the provisions of this legislation to be applicable, the governing board of the county/city must approve a resolution adopting this section. A copy of the resolution must then be transmitted to the California Highway Patrol (CHP) and law enforcement agency having primary traffic investigative authority for that jurisdiction. This is necessary to coordinate enforcement and data collection policies.

The legislation also requires the CHP to report to the Legislature, on or before July 1, 2006, on the effectiveness of the school pedestrian-bicyclist safety programs and whether the added fines improved traffic and pedestrian safety within the participating school zones. The CHP's Research and Planning Section has been given responsibility for the development of the report to the Legislature. This effort will require coordination with several CHP field commands, local law enforcement agencies and school districts within these counties.

Should you have any questions regarding this legislation, please contact Ms. Patricia Sliney in our Research and Planning Section at (916) 657-7237.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O. Helmick".

D. O. HELMICK  
Commissioner

Enclosure

cc: CHP Coastal Division ✓



DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

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(800) 735-2922 (Voice)



January 31, 2003

File No.: 1.A7875.051.02-2375

Ventura City Council  
501 Poli Street, #205  
Ventura, CA 93002

Dear Council Members:

I am writing in response to the recent passage of Assembly Bill (AB) 1886, copy enclosed, which would double or increase fines in specially posted school zones in Santa Barbara, Ventura, and Alameda Counties. These provisions will remain in effect until January 1, 2007.

Ventura County or any city within the county in collaboration with local school districts may utilize these funds to establish school pedestrian-bicyclist safety programs. However, for the provisions of this legislation to be applicable, the governing board of the county/city must approve a resolution adopting this section. A copy of the resolution must then be transmitted to the California Highway Patrol (CHP) and law enforcement agency having primary traffic investigative authority for that jurisdiction. This is necessary to coordinate enforcement and data collection policies.

The legislation also requires the CHP to report to the Legislature, on or before July 1, 2006, on the effectiveness of the school pedestrian-bicyclist safety programs and whether the added fines improved traffic and pedestrian safety within the participating school zones. The CHP's Research and Planning Section has been given responsibility for the development of the report to the Legislature. This effort will require coordination with several CHP field commands, local law enforcement agencies and school districts within these counties.

Should you have any questions regarding this legislation, please contact Ms. Patricia Sliney in our Research and Planning Section at (916) 657-7237.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O. Helmick".

D. O. HELMICK  
Commissioner

Enclosure

cc: CHP Ventura Area ✓  
Ventura Police Department



## **ANNEX C**

CHP LETTERS TO AGENCIES  
REQUESTING INPUT FOR REPORT

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P. O. Box 942898  
Sacramento, CA 94298-0001  
(916) 657-7237  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



September 6, 2005

File No.: 051.A9013.05-0668A

Mr. Nazir Lalani  
County of Ventura  
Public Works Agency - Transportation Department  
800 S. Victoria Avenue  
Ventura, CA 93009-1600

Dear Mr. Lalani:

This letter is in reference to Assembly Bill 1886 concerning the Double Fine School Zone (DFSZ) Pedestrian-Bicyclist Safety Program. The Department of California Highway Patrol is required to report to the legislature by July 1, 2006, on the effectiveness of this School Pedestrian-Bicyclist Safety Program and whether the added fines improved traffic and pedestrian safety within the participating school zones. In order to write this report, information will be needed from your department.

Please provide a listing of all locations where DFSZ signs are erected within your county, installation dates, and a list of the participating schools districts. Also include expenses incurred for erecting the signs and if any additional DFSZs are planned by the end of 2005. Please provide the requested information and any comments you wish to be considered for the final report by September 30, 2005.

The information can be sent to:

California Highway Patrol  
Research and Planning Section  
Attention: Sharon Tall  
2555 First Avenue  
Sacramento, CA 95818

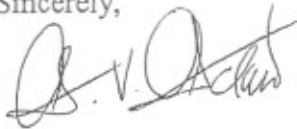
Chief Pat Miller  
Page 2  
September 2, 2005

The information can be sent to:

California Highway Patrol  
Research and Planning Section  
Attention: Sharon Tall  
2555 First Avenue  
Sacramento, CA 95818

Thank you for your assistance with this project. Should you have any questions regarding this matter, please contact Sergeant Steve Valdez or Ms. Sharon Tall in our Research and Planning Section at (916) 657-7237.

Sincerely,

A handwritten signature in dark ink, appearing to read "A. V. ACLARO". The signature is stylized with a large, looped initial "A" and a long, sweeping horizontal stroke extending to the right.

A. V. ACLARO, Captain  
Commander  
Research and Planning Section



DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P. O. Box 942898  
Sacramento, CA 94298-0001  
(916) 657-7237  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



September 2, 2005

File No.: 051.A9013.05-0733

Chief Pat Miller  
Ventura Police Department  
1425 Dowell Drive  
Ventura, CA 93003

Dear Chief Miller:

Effective January 1, 2003, Assembly Bill 1886 was passed which doubles or increases fines in specially posted school zones. This legislation requires the California Highway Patrol (CHP) to report to the Legislature, on or before July 1, 2006, on the effectiveness of the Double Fine School Zone (DFSZ) Pedestrian-Bicyclist Safety Program and whether the added fines improved traffic and pedestrian safety within the participating school zones.

The CHP's Research and Planning Section (RPS) has been given the responsibility for the preparation of this report. Your city has passed a resolution to utilize this program in which information will be needed to be included in the report. Please provide the requested information and any comments you wish to be considered for the final report to RPS by November 15, 2005:

- A list of participating school zones within your jurisdiction
- School addresses
- Participating school district superintendents, addresses, and phone numbers
- Agency contact information
- Total number of citations issued with DFSZ penalties by your agency
- Total number of collisions in your jurisdiction's DFSZs

Mr. Nazir Lalani

Page 2

Thank you for your assistance with this project. Should you have any questions, please contact Sergeant Steve Valdez or Ms. Sharon Tall at (916) 657-7237.

Sincerely,

A handwritten signature in black ink, appearing to read "A. V. ACLARO". The signature is stylized with a large, looped "A" and a cursive "V".

A. V. ACLARO, Captain

Commander

Research and Planning Section

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P. O. Box 942898  
Sacramento, CA 94298-0001  
(916) 657-7237  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



September 6, 2005

File No.: 051.A9013.05-0730

Ms. Christine Cohen  
County of Ventura  
Auditor Controller's Office  
800 South Victoria Avenue  
Ventura, CA 93009-1540

Dear Ms. Cohen:

This letter is in regards to Assembly Bill 1886 concerning the Double Fine School Zone (DFSZ) Pedestrian-Bicyclist Safety Program in Ventura County. The Department of California Highway Patrol is required to report to the legislature by July 1, 2006, on the effectiveness of the School Pedestrian-Bicyclist Safety Program and whether the added fines improved traffic and pedestrian safety within the participating school zones. In order to write this report, information will be needed from your department on the effectiveness of the program.

Please provide information on the disbursement of DFSZ revenue, including recipient information and amounts disbursed. Please provide the requested information and any other information you feel will be beneficial for our Department to have in preparation for the final report no later than December 1, 2005. The information can be sent to:

California Highway Patrol  
Research and Planning Section  
Attention: Sharon Tall  
2555 First Avenue  
Sacramento, CA 95818

Thank you for your assistance with this project. Should you have any questions, please contact Sergeant Steve Valdez or Ms. Sharon Tall at (916) 657-7237.

Sincerely,

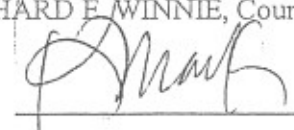
A handwritten signature in black ink, appearing to read "A. V. ACLARO".

A. V. ACLARO, Captain  
Commander  
Research and Planning Section

**ANNEX D**  
RESOLUTIONS

Approved as to Form

RICHARD E. WINNIE, County Counsel

By  Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

RESOLUTION NUMBER: R- 2003-464

**APPROVE THE IMPLEMENTATION OF DOUBLE FINES ON TRAFFIC VIOLATION  
WITHIN THE SPECIALLY POSTED SCHOOL ZONES IN ALAMEDA COUNTY**

WHEREAS, On September 16, 2002, AB 1886 was signed by the Governor and chaptered into law (Chapter 590); and

WHEREAS, Assembly Bill 1886 enacts increased penalties, including but not limited to double fine amounts, for specified traffic offenses committed in proximity to school grounds in Alameda County, Santa Barbara County, Ventura County, or any city in any of those counties wherein the program is adopted by vote of the city or county governing body (City Council or County Board of Supervisors); and

WHEREAS, Assembly Bill 1886 adds Section 1463.21 to the Penal Code, to read: 1463 (a) Notwithstanding Section 1463.001, out of moneys deposited with the County Treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code; and

WHEREAS, Assembly Bill 1886 adds Vehicle Code Section 42011 (a)(1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone; and

WHEREAS, Assembly Bill 1886 requires that any city or county that adopts its increased penalty section, Vehicle Code Section 42011, shall promptly notify the California Highway Patrol (CHP) and the law enforcement agency having the primary traffic investigate authority of that fact; and

WHEREAS, the public health and safety require that Vehicle Code Section 42011 be adopted in this County; and

WHEREAS, the sunset date for this legislation is January 1, 2007, unless extended by future statute; and

WHEREAS, Alameda County Public Works Agency has acquired the needed concurrence on this program from the school districts in the County; and

WHEREAS, Alameda County Public Works Agency will be responsible to oversee the implementation of pedestrian and bicycle related improvements within specially posted school zones;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the Alameda County does resolve, declare, determine and order as follows:

SECTION 1: Vehicle Code Section 42011 is hereby adopted by the Alameda County as provided in Vehicle Code Section 42001(c)(1); and

SECTION 2: The County Clerk shall, by certified copy of the Resolution, notify the Sheriff and the local office of the California Highway Patrol (CHP) of the adoption of Vehicle Code Section 42011; and

SECTION 3: The Public Works Director shall post, or cause to have posted, additional signage in specially posted school areas as time and resources permit as specified by Vehicle Code (a)(1); and

SECTION 4: The County Auditor-Controller is requested to create a special amount in the County Treasurer, which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.

THE FOREGOING was PASSED and ADOPTED by the following vote of the Alameda County Board of Supervisors this 29th day of April, 2003, to wit:

AYES: Supervisors Carson, Haggerty, Lai-Bitker, Miley & President Steele —5

NOES: None

EXCUSED: None

*Hail Steele*

**PRESIDENT, BOARD OF SUPERVISORS**

**ATTEST:**

Crystal K. Hishida, Clerk  
Board of Supervisors

By: *R. Bailey*  
Deputy

File: 17882

Agenda No: 23A-C

Document No: R-2003-464



I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Supervisors, Alameda County, State of California.

**ATTEST:**

Crystal K. Hishida, Clerk  
Board of Supervisors

By: *R. Bailey*  
Deputy



## CITY OF DUBLIN

100 Civic Plaza, Dublin, California 94568

Website: <http://www.ci.dublin.ca.us>

*School zone fine  
Alameda  
County*



\*\*\*\*\*

I hereby certify under penalty of perjury that the attached Resolution No. 42 - 03, adopted by the City Council on March 4, 2003, is a true and accurate copy of said document taken from the official files of the City of Dublin.

Date: March 17, 2003

By: [Signature]

City Clerk



**RESOLUTION NO. 42 - 03**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

\*\*\*\*\*

**ADOPTING INCREASED FINES AND PENALTIES FOR TRAFFIC VIOLATIONS  
COMMITTED IN PROXIMITY TO OCCUPIED SCHOOL GROUNDS**

**WHEREAS**, Assembly Bill 1886 was enacted by the California State Legislature and signed by the Governor during the 2001-2002 legislative term; and

**WHEREAS**, Assembly Bill 1886 enacts increased penalties, including but not limited to doubled fine amounts, for specified traffic offenses committed in proximity to school grounds; and

**WHEREAS**, Assembly Bill 1886 adds Section 1463.21 to the Penal Code, to read: 1463.21 (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code; and

**WHEREAS**, Assembly Bill 1886 adds Vehicle Code Section 42011(a)(1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone; and

**WHEREAS**, Assembly Bill 1886 requires that any city or county that adopts its increased penalty section, Vehicle Code Section 42011, shall promptly notify the California Highway Patrol and the law enforcement agency having the primary traffic investigative authority of that fact; and

**WHEREAS**, the public health and safety require that Vehicle Code Section 42011 be adopted in this City.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Dublin, California does resolve, declare, determine and order as follows:

**SECTION 1.** Vehicle Code Section 42011 is hereby adopted by the City of Dublin as provided in Vehicle Code Section 42011(c)(1); and

**SECTION 2.** The City Clerk shall, by certified copy of the Resolution, notify the Sheriff and the local office of the California Highway Patrol of the adoption of Vehicle Code Section 42011; and

**SECTION 3.** The Public Works Director shall post, or cause to have posted, additional signage in school areas as time and resources permit as specified by Vehicle Code Section 42011(a)(1); and

**SECTION 4.** The County Auditor-Controller is requested to create a special account in the county treasury, which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.

**PASSED, APPROVED and ADOPTED this 4<sup>th</sup> day of March, 2003.**


AYES: Councilmembers McCormick, Oravetz, Sbranti and Zika and Mayor Lockhart

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor



*Police Department*

2000 Stevenson Boulevard, P.O. Box 5007, Fremont, CA 94537-5007

510 790-6800 ph | www.fremontpolice.org

September 2, 2003

California Highway Patrol  
P.O. Box 942898  
Sacramento, CA 94298-0001

Attention: M/s Patricia Sliney

**Re: Implementation of Double Fines on Traffic Violations within School Zones**

As per our telephone conversation, enclosed is a copy of City of Fremont ordinance No: 2500, that was duly introduced before the City Council on 24<sup>th</sup> day of June and adopted on July 1<sup>st</sup>, 2003, as per AB1886.

Also enclosed is the copy of the letter sent to County Auditor-Controller requesting to create a Trust account in the County Treasury which shall be used exclusively to collect the enhanced portion of fines for the City of Fremont.

Please let me know if you need any further information.

Thank you

Sincerely

CRAIG T. STECKLER  
CHIEF OF POLICE

A handwritten signature in black ink, appearing to read "Agnes L. Nair", written over a horizontal line.

Agnes L. Nair  
Traffic Project Manager

## **ORDINANCE NO. 2500**

### **AN ORDINANCE OF THE CITY OF FREMONT AMENDING THE FREMONT MUNICIPAL CODE REGARDING MISCELLANEOUS TRAFFIC CONTROL REGULATIONS AND ADDING DOUBLE PENALTIES FOR VIOLATING TRAFFIC REGULATIONS IN SCHOOL ZONES**

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WHEREAS, Assembly Bill 1886, signed by California Governor Gray Davis on September 15, 2002, authorizes cities within Alameda County to double fines for certain violations of the California Vehicle Code that occur within school zones; and

WHEREAS, Assembly Bill 1886 authorizes the amount of the increased fines to be committed to a Bicycle and Pedestrian School Safety Fund; and

WHEREAS, the Bicycle and Pedestrian School Safety Fund will be used to plan comprehensively for safety around schools; and

WHEREAS, this ordinance is submitted with the cooperation and support of the Fremont Unified School District, as required by law.

The City Council of the City of Fremont does hereby ordain as follows:

#### **Section 1:**

The City of Fremont hereby adopts section 42011 of the California Vehicle Code.

#### **Section 2:**

Fremont Municipal Code Title III (Public Safety, Welfare and Morals), Chapter 2 (Traffic Regulations), Article 2 (Enforcement and Obedience to Traffic Regulations) is amended by adding section 3-2210 as follows.

#### **Sec. 3-2210. Double fines in school zones**

(a) The City of Fremont adopts section 42011 of the California Vehicle Code as provided in subsection 42011(c)(1).

(b) The fine for violation of any offense specified in subsection 42011(b) of the California Vehicle Code shall be doubled as specified in subsections (a) and (c)(2). The enhanced portion of the fine shall be used by the city as specified in section 45452 of the Education Code and section 1463.21 of the Penal Code.

(c) Subsection 42011(e) of the California Vehicle Code provides that section 42011 will remain in effect only until July 1, 2007, and as of that date is repealed, unless



CITY OF  
**HAYWARD**  
HEART OF THE BAY

September 30, 2003

Steve Manning  
County of Alameda  
Auditor-Controller's Office  
1221 Oak Street, Rm. 220  
Oakland, CA 94612

Dear Mr. Manning:

**Subject:** Implementation of Double Fines on Traffic Violations within School Zones

In response to Robert Preston's (Alameda County Public Works) letter dated August 22, 2003, I request a trust account be set up for the City of Hayward to receive AB 1886 revenues originating from within our jurisdiction.

My point of contact for this program is Bob Davis (293-5701).

Sincerely,

Patrick Dwyer  
Interim Chief of Police

cc: Robert Preston  
enclosure

POLICE DEPARTMENT

300 WEST WINTON AVENUE, HAYWARD, CA 94544  
TEL: 510/293-7000 • FAX: 510/293-7183 • TDD: 510/783-8884

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-080

Introduced by Council Member Hilson

RESOLUTION AUTHORIZING THE CITY MANAGER TO  
DOUBLE THE FINES IN SCHOOL ZONES

BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes and directs the City Manager to double the fines in specifically posted school zones as allowed by the passage of Assembly Bill (AB) 1886.

IN COUNCIL, HAYWARD, CALIFORNIA May 27, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Jimenez, Hilson, Rodriquez, Ward, Dowling, Henson  
MAYOR: Cooper

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: Angelina Reyes  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

M. O. John  
City Attorney of the City of Hayward



I hereby certify that this is a correct copy  
of a document on file in this office

ANGELINA REYES  
City Clerk, City of Hayward, California

By: Miriam Lora  
Deputy

Date: August 26, 2003

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-080

Introduced by Council Member Hilson

RESOLUTION AUTHORIZING THE CITY MANAGER TO  
DOUBLE THE FINES IN SCHOOL ZONES

BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes and directs the City Manager to double the fines in specifically posted school zones as allowed by the passage of Assembly Bill (AB) 1886.

IN COUNCIL, HAYWARD, CALIFORNIA May 27, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Jimenez, Hilson, Rodriguez, Ward, Dowling, Henson  
MAYOR: Cooper

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: Angelina Reyes  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

M. O. John  
City Attorney of the City of Hayward



I hereby certify that this is a correct copy  
of a document on file in this office

ANGELINA REYES

City Clerk, City of Hayward, California

By: Miriam Lens  
Deputy

Date: August 26, 2003



CITY OF  
**HAYWARD**  
HEART OF THE BAY

**INVESTIGATION DIVISION  
INSPECTORS BUREAU**

PHONE 510-293-7034

FAX 510-293-7183

**FAX COVER SHEET**

1 PAGES NOT INCLUDING COVER SHEET

DATE: 10/15/03 FAX NO: (510) 782-1939

TO: ALCO P.W.

ATTN: BOB PARSON

FROM: BOB DAVIS

SUBJECT: R450 100 2X FINES IN SCHOOL ZONES

MESSAGE: PRC OUR PLOW CON  
BOB (293-5701)

**NOTICE:** This document being faxed is intended only for the use of the individual entity it is addressed to and may contain information that is privileged and confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are being notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify us immediately by telephone and return the original message to us at the address below via the United States Postal Service.

**POLICE DEPARTMENT**

300 WEST WINTON AVENUE, HAYWARD, CA 94544  
TEL: 510/293-7000 • FAX: 510/293-7183 • TDD: 510/783-8884



# CITY OF LIVERMORE



## ADMINISTRATION BUILDING

1052 S. Livermore Avenue  
Livermore CA 94550-4899  
Ph: (925) 960-4000  
Fax: (925) 960-4058  
TDD: (925) 960-4104

## MAYOR / COUNCIL

Ph: 960-4010 • Fax: 960-4025

## CITY MANAGER

Ph: 960-4040 • Fax: 960-4045

## CITY ATTORNEY

Ph: 960-4150 • Fax: 960-4180

## RISK MANAGEMENT

Ph: 960-4170 • Fax: 960-4180

## CITY CLERK

Ph: 960-4200 • Fax: 960-4205

## COMMUNITY DEVELOPMENT

Ph: 960-4400 • Fax: 960-4459

### Building Division

Ph: 960-4410 • Fax: 960-4419

### Engineering Division

Ph: 960-4500 • Fax: 960-4505

### Housing Division

Ph: 960-4580 • Fax: 960-4149

### Planning Division

Ph: 960-4450 • Fax: 960-4459

## ECONOMIC DEVELOPMENT

Ph: 960-4140 • Fax: 960-4149

## FINANCE DEPARTMENT

Ph: 960-4300 • Fax: 960-4309

## FIRE DEPARTMENT

4550 East Avenue

Ph: 454-2361 • Fax: 454-2367

## LIBRARY

1000 S. Livermore Avenue

Ph: 373-5500 • Fax: 373-5503

## PERSONNEL

Ph: 960-4100 • Fax: 960-4105

## POLICE DEPARTMENT

1110 S. Livermore Avenue

Ph: 371-4900 • Fax: 371-4950

TDD: 371-4982

## PUBLIC SERVICES

3500 Robertson Park Rd.

Ph: 960-8000 • Fax: 960-8005

### Airport Division

636 Terminal Circle

Ph: 373-5280 • Fax: 373-5042

### Golf Course Division

909 Clubhouse Drive

Ph: 373-5239 • Fax: 373-5203

### Maintenance Division

3500 Robertson Park Rd.

Ph: 960-8020 • Fax: 960-8025

### Water Resources Division

101 W. Jack London Blvd.

Ph: 960-8100 • Fax: 960-8105

November 5, 2003

**Steve Manning**  
Division Chief  
Auditor-Controller's Agency  
1221 Oak Street Room 220  
Oakland, CA 94612

**Subject: Implementation of Double Fine Trust Account**

Dear Mr. Manning:

The City of Livermore is interested in establishing a separate Trust Account for double fines on traffic violations within school zones. The passage of Assembly Bill 1886 empowered Alameda County and local jurisdictions in the County to implement double fines in school zones. These funds will be used to improve pedestrian and bicycle facilities in school zones.

On October 27<sup>th</sup>, the City Council approved the adoption of Resolution 2003-290 authorizing the double fine program. A copy of the resolution has been attached for your reference.

If you have any questions or require additional information, please do not hesitate to call me at (925) 960-4541 or email me at [jhpack@ci.livermore.ca.us](mailto:jhpack@ci.livermore.ca.us).

Sincerely,

Joshua H. Pack, P.E.  
Associate Transportation Engineer

Cc: Bob Preston, County of Alameda Public Works Agency  
Steve Krull, City of Livermore Police Department  
File

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE  
STATE OF CALIFORNIA

A RESOLUTION AUTHORIZING INCREASED FINES  
FOR TRAFFIC VIOLATIONS WITHIN SCHOOL ZONES  
AND ESTABLISHMENT OF A TRUST ACCOUNT

Assembly Bill 1886 enacted in September 2002 allows local jurisdictions within Alameda County to implement double fines on traffic violations within school zones to initiate safety measures improving pedestrian and bicycle facilities in school zones, subject to the establishment of a separate trust account through the auditor-controllers agency prior to the program's implementation.

NOW, THEREFORE, BE IT RESOLVED by the Livermore City Council that, in accordance with Assembly Bill 1886, traffic violations within school districts shall be doubled and establishment of a separate trust account through the auditor-controllers agency is authorized.

APPROVED AS TO FORM:

  
CITY ATTORNEY


On motion of Councilmember Reitter, seconded by Councilmember Beeman, the foregoing Resolution was passed and adopted this 27<sup>th</sup> day of October, 2003, by the following vote:

AYES: COUNCILMEMBERS Beeman, Dietrich, Reitter, Vargas, Mayor Kamena

NOES: COUNCILMEMBERS None

ABSENT: COUNCILMEMBERS None

  
MAYOR, CITY OF LIVERMORE, CALIFORNIA

ATTEST:  
  
CITY CLERK

BB S:\AGENDA\10-27\traffic fines.doc JHP

RESOLUTION NO. 2003-290



**CITY OF NEWARK, CALIFORNIA**

---

37101 Newark Boulevard • Newark, California 94560-3796 • (510) 793-1400 • FAX (510) 794-2306

August 1, 2003

California Highway Patrol  
Ms. Patricia Sliney  
P.O. Box 942898  
Sacramento, CA 94298-0001

Dear Ms. Sliney:

Per our telephone conversation today, enclosed is a copy of City of Newark Resolution No. 8665 which adopts increased fines and penalties for traffic violations committed in school zones per Vehicle Code Section 42011. I can obtain a certified copy if need be, just let me know. I have also mailed a copy to Captain Vertar of the Hayward office per your request.

Please let me know if you have any questions. I can be reached at (510) 794-2351.

Sincerely,

Misa Leal  
Administrative Analyst  
Police Administration

Enclosure

/ml

RESOLUTION NO. 8665

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK ADOPTING INCREASED FINES AND  
PENALTIES FOR TRAFFIC VIOLATIONS COMMITTED IN  
SCHOOL ZONES PER VEHICLE CODE SECTION 42011

WHEREAS, Assembly Bill 1886 was signed by California Governor  
Gray Davis on September 15, 2002; and

WHEREAS, AB1886 authorizes cities within Alameda County to double fines for  
certain violations of the California Vehicle Code that occur within specifically posted  
school zones; and

WHEREAS, AB1886 authorizes the amount of the increased fines to be  
committed to a Bicycle and Pedestrian School Safety Fund; and

WHEREAS, the Bicycle and Pedestrian School Safety Fund will be used to  
enhance the City of Newark's school area safety program, which includes the placement  
of adult crossing guards at ten locations near school zones and the assignment of a  
School Resource Officer at Newark Jr. High and Newark Memorial High School; and

WHEREAS, Vehicle Code Section 42011 must be adopted by the City for the  
provisions of this legislation to be applicable;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of  
Newark adopt increased fines and penalties for traffic violations committed in school  
zones per Vehicle Code Section 42011;

I HEREBY CERTIFY the foregoing resolution was introduced at a regular meeting of the City Council of the City of Newark held on July 10, 2003, by Council Member Nagy who moved its adoption and passage, which motion was carried after being duly seconded, and passed by the following vote:

YES: Council Members Freitas, Johnson, Nagy, Torrico, and Mayor Smith

NOES: None

ABSENT: None

SECONDED: Council Member Torrico

APPROVED:

ATTEST:

s/DAVID W. SMITH  
Mayor

s/FRANCES MILLER-ROGERS  
City Clerk

APPROVED AS TO FORM:

s/GARY T. GALLIANO  
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 77665 C.M.S.

INTRODUCED BY COUNCILMEMBER JANE BRUNNER

A RESOLUTION TO ESTABLISH A PEDESTRIAN AND BICYCLE SCHOOL SAFETY FUND  
AND TO DOUBLE THE FINES FOR MOTOR VEHICLE MOVING VIOLATIONS IN SCHOOL  
ZONES IN THE CITY OF OAKLAND

FILED  
OFFICE OF THE CITY CLERK  
03 FEB 21 PM 12:00

WHEREAS, Assembly Bill 1886 authorizes cities within Alameda County to double vehicle moving violation fines within school zones; and

WHEREAS, Assembly Bill 1886 authorizes the amount of the increased fines to be committed to a Bicycle and Pedestrian School Safety Fund; and

WHEREAS, the Bicycle and Pedestrian School Safety Fund will be used to meet Oakland's need for a comprehensive safe routes to school program including more school crossing guards, safety improvements around schools, and safety education for students; and

WHEREAS, Oakland's Pedestrian Master Plan prioritizes safety for young people and around school sites; and

WHEREAS, this resolution is submitted with the cooperation and support of the Oakland Unified School District, as required by law; now

THEREFORE BE IT RESOLVED, that the City Council establishes a Bicycle and Pedestrian School Safety Fund, and

BE IT FURTHER RESOLVED that the term "school zone" is defined for the purposes of this resolution as a roadway contiguous to a school building or grounds while the grounds are in use by children and the roadway is posted with a standard "SCHOOL" warning sign, and

BE IT FURTHER RESOLVED that the Bicycle and Pedestrian School Safety Fund shall only be used to create a comprehensive safe routes to school program, including the City's crossing guard programs, promoting safety education programs in Oakland schools, funding capital improvements around schools that improve pedestrian and bicycle safety, funding data gathering activities to track and monitor school, pedestrian-related violations, and funding pedestrian and bicycle violation diversion programs, and

# CITY OF OAKLAND



POLICE ADMINISTRATION BUILDING

• 455 - 7TH STREET

• OAKLAND, CALIFORNIA 94607-3985

Police Department

Telephone Device for the Deaf (510) 238-3227

Patrol Desk (510) 238-3455

Fax (510) 238-2251

October 13, 2003

Steve Manning  
Division Chief, Auditor-Controllers Agency  
1221 Oak Street, Room 220  
Oakland, CA 94612

Dear Mr. Manning,

On behalf of the City of Oakland, I respectfully request that you establish a trust fund to receive fine money as authorized by State Assembly Bill 1886 and California Vehicle Code Section 42011. A copy of City of Oakland Resolution 77665 is attached. I request that the County establish and publish standardized protocol for the reporting and citing of these offenses as well as the processing of the citations.

Sincerely,

A handwritten signature in black ink, appearing to read 'DK', written over a horizontal line.

David Kozicki  
Lieutenant of Police  
Traffic Section

cc: Chief Richard Word  
Robert Preston, Alameda County Traffic Engineer  
Donna Whitehouse, Alameda County Superior Court

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2003- 193

(1022/2463)

RESOLUTION APPROVING IMPLEMENTATION OF DOUBLE FINES ON TRAFFIC VIOLATIONS WITHIN SPECIFICALLY POSTED SCHOOL ZONES IN SAN LEANDRO

Recitals

WHEREAS, on September 16, 2002, AB1886 was signed by the Governor and chaptered into law (Chapter 590), providing the doubling of fines for certain traffic-related violations within the specially posted school zones in Alameda County, Santa Barbara County, Ventura County, or any city in any of those counties wherein the program is adopted by vote of the city or county governing body (City Council or County Board of Supervisors); and

WHEREAS, the sunset date for this legislation is January 1, 2007, unless extended by future statute; and

WHEREAS, the funds collected under this program on City of San Leandro roadways must be used for the enhancement of pedestrian and bicycle safety within the school zones in San Leandro; and

WHEREAS, the City of San Leandro Engineering and Transportation Department has acquired concurrence on this program from the school districts in the City; and

WHEREAS, Alameda County Public Works has worked with the local courts to establish a mechanism related to the collection and expenditure of the increased portion of fines; and

WHEREAS, the City of San Leandro Engineering and Transportation Department will be responsible to oversee the implementation of pedestrian and bicycle related improvements within the school zones;



NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Leandro does hereby approve the implementation of double fines on certain traffic-related violations within the specifically posted school zones within the City of San Leandro.

Introduced by Council Member Santos and passed and adopted this 2nd day of September 2003 by the following called vote:

Members of the Council:

AYES: Councilmembers Badger, Glaze, Grant, Nardine, Santos, Stephens;  
Mayor Young (7)

NOES: None (0)

ABSENT: None (0)

Attest: Marian Handa  
Marian Handa, City Clerk

City of San Leandro  
Civic Center, 835 E. 14th Street  
San Leandro, California 94577



September 19 2003

Steve Manning, Division Chief  
Auditor-Controller's Agency  
1221 Oak Street, Room 220  
Oakland, CA 94612

**RE: Double Traffic Fines in School Zones – Trust Account**

Dear Mr. Manning:

On September 2, 2003, the City Council of the City of San Leandro passed a resolution approving implementation of a program that allows the collection of double traffic fines in posted school zones. A copy of this resolution (Resolution No. 2003-193) is attached.

I would like to request a Trust Account for the City of San Leandro for the purpose of collecting the additional traffic fines. Additionally, I would like some information on how to receive these funds from the court. Will the court provide the funds to the City on a periodic basis, or will the City submit invoices to be reimbursed?

Please contact me at (510) 577-3428. Thank you for your assistance in this matter.

Sincerely,

Uche Udemezue, P.E., Director  
Engineering and Transportation Department

Enclosures: Resolution 2003-193

cc: K. Cooke, Lt. Dan Marchetti, A. Vickroy, M. White,  
Robert Preston, Traffic Engineer, County of Alameda

Shelia Young, Mayor

City Council:

Orval "OB" Badger;  
Glenda Nardine;

Bob Glaze;  
Tony Santos;

Surlene G. Grant;  
Bill Stephens



34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA 94587  
(510) 471-3232

June 22, 2004

California Highway Patrol  
P.O. Box 942898  
Sacramento, CA 94298-0001

Attention: Patricia Sliney

**Re: Implementation of Double Fines on Traffic Violations within School Zones**

As per our telephone conversation, I have enclosed a copy of City of Union City ordinance No: 613-03 that was duly introduced before the City Council on September 23, 2003 and adopted on October 14, 2003, as per AB1886.

Also enclosed is the copy of the letter sent to County Auditor-Controller requesting to create a Trust account in the County Treasury which shall be used exclusively to collect the enhanced portion of fines for the City of Union City.

Please let me know if you need any further information.

Thank you.

Sincerely,

Randy Ulibarri  
CHIEF OF POLICE

RESOLUTION NUMBER 2506-03

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF UNION CITY  
ADOPTING THE PROVISIONS OF ASSEMBLY BILL AB 1886  
FOR THE CITY OF UNION CITY**

**WHEREAS**, Assembly Bill AB 1886, recently enacted by the California State Legislature, provides for increased penalties, including the doubling of fine mounts for certain traffic violations that occur in specially posted school zones in Alameda County; and

**WHEREAS**, funds accrued through these increased penalties are to be specifically set aside in a dedicated account and used to pay for school pedestrian and bicyclist safety programs; and

**WHEREAS**, AB 1886 requires that in order to implement increased penalties the City must introduce an ordinance adopting the provisions of said Assembly Bill; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Union City hereby adopts the provisions of AB 1886.

8

RESOLUTION NO. 2506-03

I HEREBY CERTIFY that the foregoing resolution was introduced at a regular meeting of the City Council of the City of Union City on September 23, 2003, by Mayor Green who moved its adoption and passage by the following vote:


AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice Mayor Elias, Mayor Green

NOES: None

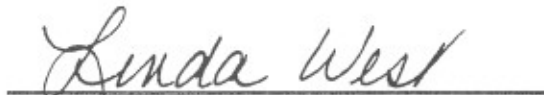
ABSENT: None

SECONDED: Vice Mayor Elias

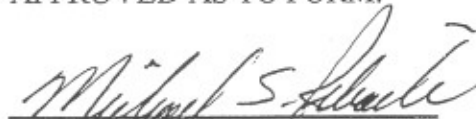
APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

ORDINANCE NO. 613-03

**ORDINANCE OF THE CITY OF UNION CITY  
AMENDING TITLE 10, CHAPTER 10.28,  
OF THE UNION CITY MUNICIPAL CODE,  
RELATING TO VEHICLES AND TRAFFIC,  
BY ADOPTION OF THE PROVISIONS OF ASSEMBLY BILL 1886,  
AND IN PARTICULAR, CALIFORNIA VEHICLE CODE SECTION 42011**

THE CITY COUNCIL OF THE CITY OF UNION CITY DOES ORDAIN AS FOLLOWS:

SECTION 1: Title 10 (Vehicles and Traffic), Chapter 10.28 (Miscellaneous Driving Rules) is hereby amended by the addition of Section 10.28.100 thereto, entitled "Increased Penalties in Specially Posted School Zones", to read as follows:

"Section 10.28.100. Increased Penalties in Specially Posted School Zones

A. FINDINGS:

Assembly Bill AB 1886, enacted by the California State Legislature and effective January 1, 2003, provides for increased penalties, including the doubling of fine amounts for certain specified traffic violations that occur in specially posted school zones in Alameda County.

Funds accrued through these increased penalties are to be specifically set aside in a dedicated account in the county treasury and used to pay for school pedestrian and bicyclist safety programs, through collaboration of the city and of the New Haven Unified School District.

AB 1886 requires that in order to implement the increased penalties the city must adopt the provisions of said Assembly Bill, and specifically Section 42011 for the California Vehicle Code, enacted by that Assembly Bill.

B. ADOPTION OF CALIFORNIA VEHICLE CODE SECTION 42011.

Pursuant to the provisions of Section 45452 of the California Education Code and Section 1463.21 of the California Penal Code, Section 42011 is hereby adopted and incorporated by this reference as if set forth in full, into the Union City Municipal Code."

SECTION 2. The Chief of Police is directed to forward a copy of this ordinance once adopted to the California Highway Patrol.

ORDINANCE NO. 613-03

The Foregoing Ordinance was introduced and read before the City Council of the City of Union City by Mayor Green at the regular meeting of the Council of the City of Union City on September 23, 2003. Ordinance was read at the regular meeting of the City Council held on October 14, 2003 by Vice Mayor Elias who moved that it be adopted and passed, which motion was duly seconded and said Ordinance was passed and adopted and ordered published within fifteen (15) days of the date of adoption in THE ARGUS, a newspaper of general circulation, published, printed in the County of Alameda and circulated in the City of Union City, by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice Mayor Elias, Mayor Green

NOES: None

ABSENT: None

SECONDED: Councilmember Fernandez

APPROVED:

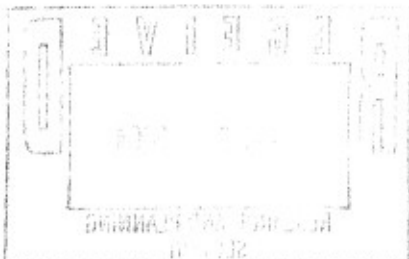
/s/ Mark Green  
MAYOR

ATTEST:

/s/ Linda West  
CITY CLERK

APPROVED AS TO FORM:

/s/ Michael Riback  
CITY ATTORNEY



September 2, 2003

Steve Manning  
Division Chief  
Auditor-Controller's Agency  
1221 Oak Street, Room 220  
Oakland, CA 94612.

Dear Mr. Manning

**Re: Implementation of Double Fines on Traffic Violations within School Zones**

We enclose a copy of the ordinance that was duly introduced before the City Council of the City of Fremont, at the regular City Council meeting held on 24<sup>th</sup> day of June 2003 and was adopted on July 1<sup>st</sup>, 2003.

As per AB1886, would you please create a Trust account in the County Treasury, which shall be used exclusively to collect the enhanced portion of fines for the City of Fremont.

Thank you.

Yours sincerely

CRAIG T. STECKLER  
CHIEF OF POLICE



Agnes L. Nair  
Traffic Project Manager

C: County of Alameda Public Works Agency  
California Highway Patrol







# City of Buellton

---

## CERTIFICATION

I, BIRGIT HANSEN CRIPE, CMC, duly appointed City Clerk of the City of Buellton, California, do hereby certify that the attached is a true and correct copy of Resolution No. 03-03 - "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADOPTING INCREASED FINES AND PENALTIES FOR TRAFFIC VIOLATIONS COMMITTED IN PROXIMITY TO OCCUPIED SCHOOL GROUNDS"

*Birgit Hansen Cripe CMC*  
Birgit Hansen Cripe, CMC  
City Clerk

2-24-03

Date

**RESOLUTION NO. 03-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON,  
CALIFORNIA, ADOPTING INCREASED FINES AND PENALTIES FOR TRAFFIC  
VIOLATIONS COMMITTED IN PROXIMITY TO OCCUPIED SCHOOL GROUNDS**

**WHEREAS**, Assembly Bill 1886 was enacted by the California State Legislature and signed by the Governor during the 2001-2002 legislative term; and

**WHEREAS**, Assembly Bill 1886 enacts increased penalties, including but not limited to doubled fine amounts, for specified traffic offenses committed in proximity to school grounds; and

**WHEREAS**, Assembly Bill 1886 adds Section 1463.21 to the Penal Code, to read: 1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

**WHEREAS**, Assembly Bill 1886 adds Vehicle Code Section 42011(a)(1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone; and

**WHEREAS**, Assembly Bill 1886 requires that any city or county that adopts its increased penalty section, Vehicle Code Section 42011, shall promptly notify the California Highway Patrol and the law enforcement agency having the primary traffic investigative authority of that fact; and

**WHEREAS**, the public health and safety require that Section 42011 be adopted in this City;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Buellton, California does resolve, declare, determine and order as follows:

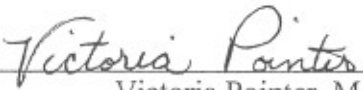
**SECTION 1.** Vehicle Code Section 42011 is hereby adopted by the City of Buellton as provided in Vehicle Code Section 42011(c)(1).

**SECTION 2.** The City Clerk shall, by certified copy of the Resolution, notify the Sheriff and the local office of the California Highway Patrol of the adoption of Vehicle Code Section 42011.

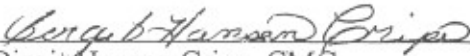
**SECTION 3.** The Public Works Director shall post, or cause to have posted, additional signage in school areas as time and resources permit as specified by Vehicle Code Section 42011(a)(1).

**SECTION 4.** The County Auditor-Controller is requested to create a special account in the county treasury, which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.

**PASSED, APPROVED and ADOPTED** this 9<sup>th</sup> day of January, 2003.

  
Victoria Pointer, Mayor

ATTEST:

  
Birgit Hansen Cripe, CMC  
City Clerk

---

I, Birgit Hansen Cripe, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 9<sup>th</sup> day of January, 2003 by the following vote of the Council:

AYES:           4       Council Members Hicks and Whitehair, Mayor Pro Tem  
                                  Traylor, and Mayor Pointer

NOES:           0

ABSENT:       1       Council Member Neustadt

  
Birgit Hansen Cripe, CMC  
City Clerk

FILE NO. 100 007 00 00 007 00 ID-CITY OF GOLETA 1 MAY 1992

*Goleta*

**RESOLUTION NO. 03-26**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF GOLETA ADOPTING SECTION 42011 OF  
THE CALIFORNIA VEHICLE CODE WHICH  
AUTHORIZES THE CITY TO IMPOSE INCREASED  
FINES AND PENALTIES FOR TRAFFIC VIOLATIONS  
COMMITTED IN PROXIMITY TO OCCUPIED  
SCHOOL GROUNDS.**

**WHEREAS**, local Assemblymember Hannah-Beth Jackson sponsored AB 1886, which was enacted by the California State Legislature and signed by the Governor during the 2001-2002 legislative term.

**WHEREAS**, AB 1886 establishes a model program applicable in only three counties, including Santa Barbara County, that allows such counties and cities located within such counties to adopt increased penalties, including but not limited to doubled fine amounts, for specified traffic offenses committed in proximity to school grounds.

**WHEREAS**, AB 1886 adds Section 1463.21 to the Penal Code, to read:

“1463.21.(a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.”

**WHEREAS**, AB 1886 adds Section 42011 to the Vehicle Code.

**WHEREAS**, Vehicle Code section 42011(c)(1) specifically authorizes the City to adopt its provisions by vote of the City Council and requires that any such adopting city promptly notify the California Highway Patrol and the law enforcement agency having the primary traffic investigative authority of such adoption.

**WHEREAS**, Vehicle Code section 42011(a)(1) requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone.

**WHEREAS**, the City Council finds that the public health and safety require that Vehicle Code Section 42011 be adopted in the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:**

SECTION 1. California Vehicle Code section 42011 is hereby adopted by the City of Goleta as provided in Section 42011(c)(1). The full text of the statute is attached to this Resolution as Attachment 1.

SECTION 2. The City Clerk shall, by certified copy of the Resolution, notify the Santa Barbara County Sheriff's Department and the local office of the California Highway Patrol of the adoption of Vehicle Code Section 42011.

SECTION 3. The Director of Community Services shall post, or cause to be posted, additional signage in school areas as time and resources permit as specified by Vehicle Code Section 42011(a)(1).

SECTION 4. The City Manager shall request that the County Auditor-Controller create a special account in the County treasury for the City, which account shall be used exclusively to pay for the cost of school pedestrian-bicyclist programs administered in accordance with Section 45452 of the California Education Code.

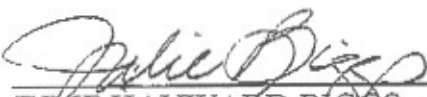
PASSED, APPROVED AND ADOPTED this 2nd day of June, 2003

  
\_\_\_\_\_  
JACK HAWXHURST, MAYOR

ATTEST:

  
\_\_\_\_\_  
FREDERICK C. STOUDER  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JULIE HAYWARD BIGGS  
CITY ATTORNEY

STATE OF CALIFORNIA                    )  
COUNTY OF SANTA BARBARA        ) ss.  
CITY OF GOLETA                        )

I, FREDERICK C. STOUDER, City Clerk of the City of Goleta, do  
HEREBY CERTIFY that the foregoing Resolution No. 03-26 was duly adopted by  
the City Council of the City of Goleta at a regular meeting thereof, held on the 2nd  
day of June, 2003, by the following vote:

AYES:       COUNCILMEMBERS BLOIS, CONNELL, WALLIS,  
             MAYOR PRO TEMPORE BROCK, MAYOR HAWXHURST

NOES:       NONE

ABSENT:     NONE

  
\_\_\_\_\_  
FREDERICK C. STOUDER  
CITY CLERK





# CITY OF LOMPOC

May 8, 2003

*Recd  
10/24/03*

Robert W. Geis  
Auditor-Controller  
County of Santa Barbara  
105 E. Anapamu Street  
Santa Barbara, CA 93101

Dear Mr. Geis:

On May 6, 2003 the Lompoc City Council, as provided by AB 1886, adopted the enclosed Resolution No. 5084(03) Providing for Increased Fines and Penalties for Traffic Violations Committed in Proximity to School Grounds. The Resolution will expire on December 31, 2006, or on such other date as Penal Code Section 42011 is repealed.

Increased revenues from this program are to be disbursed by the County to pay for the cost of school pedestrian-bicyclist safety programs pursuant to Education Code Section 45452. City Staff will be responsible for posting specified warning signs to notify motorists of the increased penalty provisions for traffic violations in proximity to schools.

Please let us know if you require any additional information to implement this new program as set forth in Resolution No. 5084(03).

Sincerely,

Jane C. Green, CMC  
City Clerk

Enc.

C: Sharon Stuart, City Attorney  
John Walk, Management Services Director  
William F. Brown, Jr., Chief of Police  
Larry Bean, Public Works Director  
Kevin McCune, City Engineer  
Joe Orsua, Street Superintendent  
Sheriff Jim Anderson  
Lompoc Sheriff Substation  
CHP - Buellton Substation  
Dr. Debra Bradley, Lompoc Unified School District

SECTION 4. This Resolution is effective on the day of its adoption.

SECTION 5. This Resolution expires on December 31, 2006, or on such other later date that Penal Code Section 42011 is repealed.

The foregoing Resolution was proposed by Councilmember Keller, seconded by Councilmember Siminski, and duly passed and adopted by the Council of the City of Lompoc at its regular meeting on May 6, 2003, by the following vote:

AYES: Councilmember: DeWayne Holmdahl, Janice Keller, Will Schuyler,  
Michael Siminski, and Mayor Dick DeWees.

NOES: Councilmember: None.



\_\_\_\_\_  
Dick DeWees, Mayor  
City of Lompoc

ATTEST:



\_\_\_\_\_  
Jane C. Green, City Clerk  
City of Lompoc

Attachment: Exhibit A - California Vehicle Code Section 42011

**RESOLUTION NO. 5084(03)**

**A Resolution Of The Council Of The City Of Lompoc  
County Of Santa Barbara, State of California,  
Providing for Increased Fines and Penalties For  
Traffic Violations Committed in Proximity to School Grounds**

WHEREAS, AB 1886 was enacted by the California State Legislature and signed by the Governor during the 2001-2002 legislative term; and

WHEREAS, AB 1886 enacts increased penalties, including but not limited to doubled fine amounts, for specified traffic offenses committed in proximity to school grounds; and

WHEREAS, AB 1886 provides for such increased revenues to be disbursed by counties to pay for the cost of school pedestrian-bicyclist safety programs pursuant to Education Code Section 45452; and

WHEREAS, the City of Lompoc administers and performs such a safety program in collaboration with the Lompoc Unified School District; and

WHEREAS, AB 1886 requires the posting of specified warning signs to notify motorists of the increased penalty provisions for traffic violations in proximity to schools; and

WHEREAS, the public health and safety require that the provisions of AB 1886 be implemented in the City of Lompoc.

**NOW, THEREFORE, THE CITY COUNCIL RESOLVES THAT:**

SECTION 1. Pursuant to AB 1886, California Penal Code Section 42011 (attached at Exhibit A, and as amended from time to time) is hereby adopted.

SECTION 2. The City Engineer shall post, or cause to be posted, additional signage in school areas as time and resources permit, as specified by Penal Code Section 42011(a)(1).

SECTION 3. The City Clerk is directed to give prompt notice of the adoption of this Resolution to the Lompoc Police Department, the local office of the California Highway Patrol, the Lompoc Unified School District, the Sheriff of Santa Barbara County, and the Auditor-Controller of Santa Barbara County.

**GAIL MARSHALL**

County Supervisor  
Third District

**JOHN BUTTNY**

Executive Staff Assistant

**MARK CHACONAS**

Executive Staff Assistant

**ELIZABETH MARTINEZ**

Administrative Assistant



## SANTA BARBARA COUNTY

105 East Anapamu Street  
Santa Barbara, California 93101  
Telephone (805) 568-2192  
Fax (805) 568-2883  
Santa Ynez Office  
1745 Mission Drive  
Solvang, California 93463  
Telephone (805) 686-5095  
Fax (805) 686-8133  
Isla Vista Office  
970 Embarcadero del Mar  
Isla Vista, California 93117

E-Mail: gmarsh@co.santa-barbara.ca.us

February 19, 2003

D.O. Helmick

Commissioner

Department of California Highway Patrol

Post Office Box 942898

Sacramento, California 94298-0001

Commissioner Helmick,

Thank you for your recent correspondence regarding the passage of Assembly Bill 1886, authored by Hannah-Beth Jackson.

On December 10, 2001 the Board of Supervisors unanimously adopted the attached resolution enabling the California Highway Patrol and other law enforcement agencies in Santa Barbara County to utilize AB-1886. A copy of the resolution is attached. Please utilize this correspondence as our official transmittal to the California Highway Patrol. In addition, Santa Barbara County's Assistant Traffic Engineer Rob Eaton can be reached at (805) 568-3308 to coordinate future data collection and reports that are required as a result of this new law.

Thank you for your cooperation and if I may be assistance on this or any of matter, please do not hesitate to contact me directly.

Sincerely,

Gail Marshall

Third District Supervisor

Attachment

cc: Jim Anderson; Santa Barbara County Sheriff  
Santa Barbara Field Commands

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

A RESOLUTION ADOPTING )  
INCREASED FINES AND PENALTIES )  
FOR TRAFFIC VIOLATIONS )  
COMMITTED IN PROXIMITY TO )  
OCCUPIED SCHOOL GROUNDS.)

RESOLUTION NO: 02-451

WHEREAS, AB 1866 was enacted by the California State Legislature and signed by the Governor during the 2001-2002 legislative term; and

WHEREAS, AB 1866 enacts increased penalties, including but not limited to doubled fine amounts, for specified traffic offenses committed in proximity to school grounds; and

WHEREAS, AB 1866 adds Section 1463.21 to the Penal Code, to read: 1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

WHEREAS, AB 1866 adds Penal Code Section 42011(a) (1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone; and

WHEREAS, AB 1866 requires that any city or county that adopts its increased penalty section, Penal Code Section 42011, shall promptly notify the California Highway Patrol and the law enforcement agency having the primary traffic investigative authority of that fact; and

WHEREAS the public health and safety require that Section 42011 be adopted in this county;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Penal Code Section 42011 is hereby adopted by the County of Santa Barbara as provided in Penal Code section 42011 (c) (1).
2. The Clerk of the Board shall, by certified copy of this Resolution, notify the Sheriff and the local office of the California Highway Patrol of the adoption of Penal Code Section 42011.
3. The Road Commissioner shall post, or cause to have posted, additional signage in school areas as time and resources permit as specified by Penal Code Section 42011 (a) (1)

4. The County Auditor-Controller is requested to create a special account in the county treasury, which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 10th day of December 2002, by the following vote:

AYES: Supervisors Schwartz, Rose, Marshall, Gray, Urbanske

NOES: None

ABSTAIN: None

ABSENT: None

  
Chair, Board of Supervisors

ATTEST:

MICHAEL F. BROWN  
CLERK OF THE BOARD OF SUPERVISORS

By: 

Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By: 

Deputy County Counsel

RESOLUTION NO. 03-032

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA ADOPTING VEHICLE  
CODE SECTION 42011 AND AUTHORIZING THE  
ESTABLISHMENT OF A SCHOOL TRAFFIC  
SAFETY PROGRAM PURSUANT TO ASSEMBLY  
BILL 1886

WHEREAS, The State of California has enacted Assembly Bill Number 1886 providing for the increase of fines for traffic violations in school zones through Vehicle Code Section 42011; and

WHEREAS, Vehicle Code Section 42011 sets forth that the provisions of that Section shall apply within the City of Santa Barbara only if the City Council adopts Vehicle Code Section 42011 by vote; and

WHEREAS, those monies collected as part of said fine increase shall be used to exclusively pay for the cost of school pedestrian-bicyclist safety programs; and

WHEREAS, Education Code Section 42452 sets forth that any city within the County of Santa Barbara, in collaboration with local school districts, may establish a school pedestrian-bicyclist safety program and receive the increased fine portion for the purpose of funding that program; and

WHEREAS, the establishment of a school pedestrian-bicyclist safety program will assist in improving public health, safety and welfare particularly in regards to students;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

1. Vehicle Code Section 42011 is hereby adopted.
2. The program entitled Santa Barbara School Traffic Safety Program ("Program") is hereby established pursuant to, and to effectuate the purposes of, AB 1866 and Education Code Section 45452 to promote and enhance the safety of students traveling to and from school on foot or by bicycle.
3. The benefits provided by AB 1886 for traffic safety programs shall apply to the Program.
4. The Public Works Director, or designee, is directed to implement the measures necessary to effectuate the program under AB 1886 and inform local law enforcement agencies of the establishment of the Program.
5. The Public Works Director, or designee, shall work with local school districts on the use of the Program's funds to improve student traffic safety.
6. Upon the City of Santa Barbara's receipt of any AB 1866 funds, such funds shall be immediately appropriated to the Program.



## RESOLUTION NO. 03-032

STATE OF CALIFORNIA                    )  
  )  
COUNTY OF SANTA BARBARA        ) ss.  
  )  
CITY OF SANTA BARBARA            )

I HEREBY CERTIFY that the foregoing **Resolution No. 03-032** was adopted by the City Council of the City of Santa Barbara at a meeting held on May 27, 2003, by the following roll call vote:

AYES:                   Councilmembers H. P. Fairly, Iya G. Falcone, Gregg A. Hart,  
                              Dan B. Secord, Mayor Marty Blum

NOES:                   None

ABSENT:                Councilmember Babatunde Fodayemi, Roger L. Horton

ABSTENTIONS:       None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on May 28, 2003.



Mabi Covarrubias Plisky  
Mabi Covarrubias Plisky, CMC  
City Clerk Services Manager

I HEREBY APPROVE the foregoing **Resolution** on May 28, 2003.

Marty Blum  
Marty Blum  
Mayor



**RESOLUTION NO. 03-677**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF SOLVANG ADOPTING INCREASED FINES AND  
PENALTIES FOR TRAFFIC VIOLATIONS COMMITTED IN PROXIMITY TO  
OCCUPIED SCHOOL GROUNDS.**

**WHEREAS**, Assembly Bill 1886 was enacted by the California State Legislature and signed by the Governor during the 2001-2002 legislative terms; and

**WHEREAS**, Assembly Bill 1886 enacts increased penalties, including but not limited to doubled fine amounts, for specified traffic offenses committed in proximity to school grounds;

**WHEREAS**, Assembly Bill 1886 adds Section 1463.21 to the Penal Code, to read: 1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the County Treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the County Treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

**WHEREAS**, Assembly Bill 1886 adds Vehicle Code Section 42011(a)(1) which requires as a condition of collecting increased penalties for traffic violations committed in proximity to school ground, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone; and

**WHEREAS**, Assembly Bill 1886 requires that any city or county that adopts it increased penalty section, Vehicle Code Section 42011, shall promptly notify the California Highway Patrol, and the law enforcement agency having the primary traffic investigative authority of that fact; and

**WHEREAS**, the public health and safety require that Vehicle Code Section 42011 be adopted in this City;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Solvang, California does resolve, declare, determine and order as follows:

**SECTION 1.** Vehicle Code Section 42011 is hereby adopted by the City of Solvang as provided in Vehicle Code Section 42011(c)(1).

**SECTION 2.** The City Clerk shall, by certified copy of the Resolution, notify the Sheriff and the local office of the California Highway Patrol of the adoption of Vehicle Code Section 42011.


PASSED, APPROVED AND ADOPTED this 25<sup>th</sup> day of August 2003, by the following vote:

AYES: Mayor Russ, Councilmembers Baca, Palmer, Skytt and Smyser

NOES:

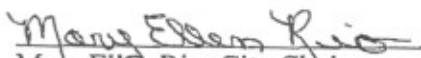
ABSTAIN:

ABSENT:



Beverly Russ, Mayor

ATTEST:

  
Mary Ellen Rio, City Clerk

# county of ventura

Captain CC  
L-1 CC  
L-2 CC  
Admin. Sgt. CC  
OSS CC  
Sergeants CC  
Deputies CC

PUBLIC WORKS AGENCY  
RONALD C. COONS  
Agency Director

May 19, 2003

Mark A. Lunn, Captain  
California Highway Patrol  
4656 Valentine Road  
Ventura, CA 93003

Bob Brooks, Sheriff  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009-3330

Greg Totten, District Attorney  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009-2730

Transportation Department  
Wm. Butch Britt, Director

Water Resources & Development Department  
John C. Crowley, Director

Central Services Department  
Lane B. Holt, Director

Environmental & Energy Resources Department  
Kay Martin, Director

Watershed Protection District  
Jeff Pratt, Director

Engineering Services Department  
Alec T. Pringle, Director

**SUBJECT: ESTABLISHMENT OF INCREASED FINES AND PENALTIES FOR  
TRAFFIC VIOLATIONS COMMITTED IN PROXIMITY OF  
SCHOOL GROUNDS - ASSEMBLY BILL 1886 (AB 1886)**

Dear Sirs:

The purpose of this letter is to advise you that on May 6, 2003 the Board of Supervisors adopted by resolution the provisions of Vehicle Code Section 42011 as added by AB 1886.

The resolution requires that a certified copy of the resolution be provided to the Highway Patrol, Sheriff and District Attorney's office. A signed and attested copy of the resolution is attached for your information and use.

This resolution authorizes implementation of Vehicle Code Section 42011 in the unincorporated area of Ventura County only. Each city (that chooses to participate) will need to adopt a similar resolution to enable enforcement within their corporate limits.

It is our intent to post the additional signage in school areas as specified by Vehicle Code Section 42011 (a)(1) and 42011(1)(2), working in collaboration with local school districts by September 1, 2003. Caltrans has adopted Standard Sign SR59 as shown on the attached Caltrans sketch dated March 19, 2003, which we will utilize in combination with standard "SCHOOL" signs. It is requested that your office implement any new or modifications to your existing procedures as necessary for enforcement of the provisions of Vehicle Code 42011 by this date.



Mark A. Lunn  
Bob Brooks  
Greg Totten  
May 19, 2003  
Page 2

County staff has been participating in an AB 1886 bi-county implementation committee led by the City of Ventura. This group includes participation of cities, counties, school districts, courts, and law enforcement agencies; and is working to provide uniform, timely, and efficient implementation of the law in Ventura and Santa Barbara Counties. To get on the notification list for the implementation committee, you may contact Tom Mericle, Traffic Engineer of the City of Ventura, by e-mail at [tmericle@ci.ventura.ca.us](mailto:tmericle@ci.ventura.ca.us).

If you have any questions about this letter, please contact Nazir Lalani of my staff at 654-2080.

Very truly yours,



Wm. Butch Britt  
Director  
Transportation Department  
Public Works Agency

a#73\wbb-851.wpd:sa

Enclosures

c: County Superintendent of Schools, Attn. Dr. Weis  
Nazir Lalani  
Steve Offerman  
Tom Mericle



RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF VENTURA, STATE OF CALIFORNIA

RESPECTING THE ESTABLISHMENT OF  
INCREASED FINES AND PENALTIES FOR TRAFFIC VIOLATIONS COMMITTED IN  
PROXIMITY OF SCHOOL GROUNDS

WHEREAS, AB 1886 was enacted by the California State legislature and signed by the Governor during the 2001-2002 legislative term; and

WHEREAS, AB 1886 allows increased penalties for specified traffic offences committed in proximity to school grounds; and

WHEREAS, AB 1886 requires collaboration with local school districts; and

WHEREAS, AB 1886 adds Section 1463.21 to the Penal Code to read: 1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

WHEREAS, AB 1886 adds Vehicle Code Section 42011 (a) (1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorist that increased penalties apply for traffic violations that are committed within that school zone; and

WHEREAS, AB 1886 requires that any city or county that adopts Vehicle Code Section 42011 shall promptly notify the California Highway Patrol and its law enforcement agency having the primary traffic investigative authority of that fact; and

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Vehicle Code Section 42011 is hereby adopted by the County of Ventura as provided in Vehicle Code Section 42011(c) (1).
2. The Clerk of the Board shall, by certified copy of this Resolution, notify the local office of the California Highway Patrol, the Ventura County Sheriff, and the District Attorney of the adoption of Vehicle Code Section 42011.
3. The Road Commissioner shall post, or cause to have posted, additional signage in school areas as specified by Vehicle Code Section 42011 (a) (1) and 42011 (a) (2).

4. The County Auditor-Controller is directed to create a special account in the county treasury, which shall be used exclusively to pay for the cost of school-pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.
5. The Road Commissioner shall collaborate with local school districts in the unincorporated area to implement this program.

On motion by Supervisor Bry, seconded by Supervisor Bennett the foregoing resolution was PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Ventura, State of California, this 6th day of May, 2003, by the following vote:

AYES: Supervisors Bennett  
Barry, Gong, and  
and Elynn

NOES: None

ABSENT: None

Joey Michel  
CHAIR, BOARD OF SUPERVISORS

ATTEST:  
JOHN F. JOHNSTON,  
Clerk of the Board of Supervisors,  
County of Ventura, State of California.

By Karen D. Rance  
Deputy Clerk of the Board



lwb-834.wpd:sa

I hereby certify that the annexed instrument  
is a true and correct copy of the document  
which is on file in this office.

Dated: 5/15/03  
JOHN F. JOHNSTON  
Clerk of the Board of Supervisors  
County of Ventura, State of California

By Christina Rodriguez  
Deputy Clerk of the Board

ORDINANCE NO. 2003-\_\_

AN ORDINANCE ADDING SECTION 16.145.050 TO  
CHAPTER 16.145 SPEED ZONES OF DIVISION 16  
OF THE SAN BUENAVENTURA MUNICIPAL CODE  
TO ALLOW INCREASED FINES AND PENALTIES  
FOR TRAFFIC VIOLATIONS COMMITTED NEAR  
SCHOOL GROUNDS

The City Council of the City of san Buenaventura does ordain as follows:

**SECTION 1:** AB 1886 was enacted by the California State legislature and signed by the Governor during the 2001-2002 legislative term. This statute allows increased penalties for specified traffic offenses committed in proximity to school grounds.

**SECTION 2:** AB 1886 added Section 1463.21 to the Penal Code to read: 1463.21 (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

**SECTION 3:** Chapter 16.145 Speed Zones of Division 16 of the San Buenaventura Municipal Code shall be and is hereby amended by adding a new Section 16.145.050 to read as follows:

"**Sec. 16.145.050. Implementing increased traffic fines near schools.** Vehicle Code Section 42011 is hereby adopted as provided in Vehicle Code Section 42011(c) (1)."

**SECTION 5:** This Ordinance shall take effect on the 31<sup>st</sup> day following its final passage and adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of September 2003.

---

Mayor of the City of San Buenaventura

ATTEST

\_\_\_\_\_  
Barbara Kam, City Clerk

**APPROVED AS TO FORM**  
Robert G. Boehm  
City Attorney

By  \_\_\_\_\_  
Amy Albano, Deputy City Attorney



CITY OF FILLMORE and the  
FILLMORE UNIFIED SCHOOL DISTRICT  
FILLMORE, CALIFORNIA

RESOLUTION NO. 03-2669 OF THE CITY COUNCIL OF THE  
CITY OF FILLMORE, CALIFORNIA, AND  
RESOLUTION NO. 03-04-01 OF THE BOARD OF EDUCATION  
OF THE FILLMORE UNIFIED SCHOOL DISTRICT

RESPECTING THE ESTABLISHMENT OF  
INCREASED FINES AND PENALTIES FOR TRAFFIC VIOLATIONS  
COMMITTED IN PROXIMITY OF SCHOOL GROUNDS

WHEREAS, AB 1886 was enacted by the California State legislature and signed by the Governor during the 2001-2003 legislative term; and

WHEREAS, AB 1886 allows increased penalties for specified traffic offences committed in proximity to school grounds; and

WHEREAS, AB 1886 requires collaboration among counties, cities and schools for implementation;

WHEREAS, AB 1886 adds Section 1463.21 to the Penal Code to read: 1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code.

WHEREAS, AB 1886 adds Vehicle Code Section 42011 (a) (1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone; and

WHEREAS, AB 1886 requires that any city or county that adopts Vehicle Code Section 42011 shall promptly notify the California Highway Patrol and its law enforcement agency having the primary traffic investigative authority of that fact.

NOW, THEREFORE, BE IT RESOLVED as follows:

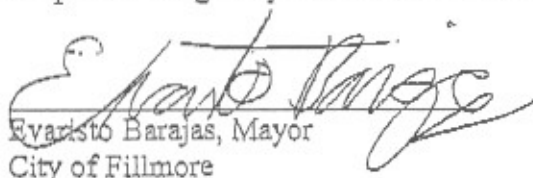
1. Vehicle Code Section 42011 is hereby adopted by the City of Fillmore as provided in Vehicle Code Section 42011(c)(1).
2. The Clerk of the City of Fillmore shall, by certified copy of this Resolution, notify the local office of the California Highway Patrol, the Ventura County Sheriff, and the District Attorney of the adoption of Vehicle Code Section 42011.

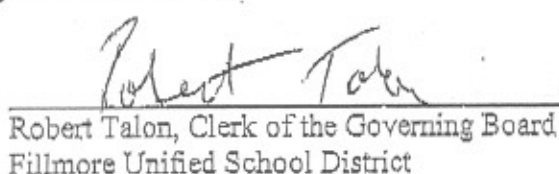
3. The City Engineer of the City of Fillmore shall post, or cause to have posted, additional signage in school areas within the City of Fillmore as specified by Vehicle Code Section 42011(a)(1) and 42011(a)(2). It is understood that the Road Commissioner of the County of Ventura shall, likewise, post, or cause to have posted, additional signage in the Piru School area as it is in an unincorporated area of Ventura County.
4. It is understood that the County Auditor-controller will create a special account in the county treasury, which shall be used exclusively to pay for the cost of school-pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.
5. It is further understood that the Road Commissioner of the County of Ventura and the City Engineer of the City of Fillmore shall collaborate with the Fillmore Unified School District in the implementation of this program. The school district's contact shall be the Director of Risk Management.
6. The Fillmore Unified School District supports the implementation of AB 1886 with provisions of Vehicle Code Section 42011 and request implementation of double fine zones at all schools and school zones within the City of Fillmore and in the unincorporated portion of the County of Ventura. The schools within the City of Fillmore are: Sespe and San Cayetano Elementary Schools, Fillmore Middle School, Fillmore High School, Fillmore Community High School, and two future schools currently in planning - Mountain Vista Elementary School and Rio Vista Elementary School. Piru Elementary School is in the unincorporated area of Piru.

PASSED AND ADOPTED at the joint meeting of the City Council of the City of Fillmore and the Fillmore Unified School District Board of Education on this 29th day of July, 2003, by the following vote:

	City Council	Board of Education
AYES:	Barajas Cuevas Walker	Garnica Dollar Lee Talon
NAYS:	None	None
ABSENT:	Smedley, Villegas	De la Piedra
ABSTAIN:	None	None

I HEREBY CERTIFY that the foregoing resolution was duly introduced, passed and adopted at a regularly called and conducted meeting held on said date.

  
Evaristo Barajas, Mayor  
City of Fillmore

  
Robert Talon, Clerk of the Governing Board  
Fillmore Unified School District

1 CITY OF FILLMORE )  
2 COUNTY OF VENTURA )§  
3 STATE OF CALIFORNIA )

4 I, STEVE McCLARY, Deputy City Clerk of the City of Fillmore, California, do hereby  
5 certify that the foregoing Resolution No. 03-2669 was duly passed and adopted by the City  
6 Council of the City of Fillmore at the special meeting thereof, held on the 29<sup>th</sup> day of July 2003,  
7 and was signed by the Mayor of the said City, and that the same was passed and adopted by the  
8 following vote:

9 AYES: BARAJAS, CUEVAS, WALKER

10 OPPOSED: NONE

11 ABSENT: SMEDLEY, VILLEGAS

12 ABSTAIN: NONE



  
STEVE McCLARY, Deputy City Clerk

## City of Ojai

RESOLUTION NO. 04-03

### SUPPORT FOR THE ESTABLISHMENT OF INCREASED FINES AND PENALTIES FOR TRAFFIC VIOLATIONS COMMITTED IN PROXIMITY OF SCHOOL GROUNDS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA.

**WHEREAS**, AB 1886 was enacted by the California State legislature and signed by the Governor during the 2001-02 legislative term; and

**WHEREAS**, AB 1886 allows increased penalties for specified traffic offenses committed in proximity to school grounds; and

**WHEREAS**, AB 1886 requires collaboration between school districts and any city or county that adopts Section 42011 of the California Vehicle Code; and

**WHEREAS**, AB 1886 requires that any city or county that adopts Vehicle Code Section 42011 shall promptly notify the California Highway Patrol and its law enforcement agency having the primary traffic investigative authority of that fact; and

**WHEREAS**, AB 1886 adds Section 1463.21 to the Penal Code to read: *1463.21. (a) Notwithstanding Section 1463.001, out of moneys deposited with the county treasurer pursuant to Section 1463.001, the enhanced portion of the fine imposed pursuant to Section 42011 of the Vehicle Code shall be deposited in a special account in the county treasury which shall be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code by a city or county that has adopted Section 42011 of the Vehicle Code; and*

**WHEREAS**, AB 1886 adds Vehicle Code Section 42011 (a) (1) which requires, as a condition of collecting increased penalties for traffic violations committed in proximity to school grounds, the posting of a standard "*SCHOOL*" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA,  
DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS;**

SECTION 1. Vehicle Code 42011 is hereby adopted by the City of Ojai as provided in Vehicle Code Section 42011 (c) (1).

SECTION 2. That City of Ojai, by certified copy of this Resolution, shall notify the local office of the California Highway Patrol, the Ventura County Sheriff's Department, the

Ventura County District Attorney's Office and the Ojai Unified School District of the adoption of Vehicle Code Section 42011.

SECTION 3. The Public Works Director shall post, or cause to be posted, additional signage in school areas as specified by Vehicle Code Section 42011 (a) (1) and 42011 (a) (2).


SECTION 4. The County Auditor-Controller is hereby requested to create a special account in the county treasury, which shall be used exclusively to pay for the cost of school-related pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code, within the following school zones:

- Nordhoff High School
- Matilija Junior High School
- Topa Topa Elementary School

APPROVED AND ADOPTED this 13<sup>th</sup> day of January 2004

  
Sue Horgan Mayor

ATTEST:

  
Carlon C. Strobel, City Clerk

STATE OF CALIFORNIA )

COUNTY OF VENTURA )

CITY OF OJAI )

I, Carlon Strobel, City Clerk for the City of Ojai do hereby certify that the foregoing Resolution was duly passed and adopted by the City Council of said City at a regular meeting thereof held on the 13th day of January, 2004 by the following vote:

AYES: DeVito, Smith, Bury, Hanstad, Horgan

NOES: None

ABSTAIN: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of said City this 13th day of January, 2004.

  
Carlon Strobel  
City Clerk for the City of Ojai

Resolution No. 04-03

## **ANNEX E**

CALTRANS ADOPTED SIGN

TRAFFIC FINES DOUBLED

## CALTRANS ADOPTED SIGN

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	
MUTCD NUMBER <u>None</u>	CODE <u>SR59</u>

SIGN SIZE (Inches)	DIMENSIONS (Inches)						
	A	B	C	D	E	F	G
30 x 30	30	1/2	3/4	4-1/2	5C	3	1-7/8
36 x 36	36	5/8	7/8	5	6C	4	2-1/4
48 x 48	48	3/4	1-1/4	7	8C	5	3

SIGN SIZE (mm)	DIMENSIONS (Millimeters)						
	A	B	C	D	E	F	G
762 x 762	762	13	19	114	125C	76	48
914 x 914	914	16	22	127	150C	102	57
1219 x 1219	1219	19	32	178	200C	127	76

**COLORS**  
 BORDER & LEGEND - BLACK (Non-Reflective)  
 BACKGROUND - WHITE (Reflective)

- THE POLICY FOR INTENDED USAGE OF THIS SIGN IS SHOWN ON REVERSE SIDE -

 <small>CHIEF, OFFICE OF SIGN AND DELINEATION</small>	<u>3/19/03</u> <small>DATE</small>	<small>REVISION</small>	<small>REVISION</small>
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POLICY: SR59

The TRAFFIC FINES DOUBLED sign (SR59) when used, shall be placed below a W63, School Advance Warning sign. It shall only be used in specially posted school zones in Alameda, Santa Barbara and Ventura Counties or in a city in any of these counties as specified in CVC 42011. This sign shall remain in effect only until January 1, 2007, unless an enacted statute deletes or extends this date.